



3. The Special Masters continue to augment their weekly reports to the Court by highlighting work detailed in these Status Reports and conducting work that is beyond the purview of the Claims and BAP Administrators.

### **Overall Administration**

4. As reported by the Claims Administrator, the COVID-19 pandemic has not caused noticeable disruption in the operations of the Settlement Program. The Claims Administrator, the BAP Administrator, and the Special Masters have continued to actively perform their responsibilities.

5. The Special Masters continue to participate in bi-weekly calls with the Claims Administrator and the BAP Administrator. Additionally, both Administrators make themselves available for additional discussions and communications as necessary to support the fair and efficient administration of the Settlement Agreement.

6. The Special Masters remain constantly informed about the progress of all Claims through the Claims Administrator's robust systems, including its published reports as found on the NFL Concussion Settlement website.

7. Each month, after review with the Claims Administrator, the Special Masters approve the monthly disbursement report to the Trustee authorizing payments of Monetary Awards to Settlement Class Members (SCMs) as well as to relevant attorneys, lienholders, and third-party funders where appropriate.

8. The Special Masters are informed about the BAP Administrator's management of requests for and scheduling of Baseline Assessment Program examinations as well as of the BAP Administrator's ongoing work to ensure that trained BAP authorized neuropsychologists and

neurologists complete their work effectively. The BAP Administrator also oversees the Supplemental Benefits program for Players within the Settlement Agreement.

9. The Special Masters ensure that the work of the Administrators is communicated to the Court via a weekly report and other communication and ensure the Court's input into matters arising in the efficient and fair administration of the Settlement Agreement.

### **Baseline Assessment Program Milestones**

10. In light of the COVID-19 Pandemic, the BAP Administrator has experienced a significant rise in appointment cancellations, with 163 appointments cancelled by Qualified BAP Providers and 134 appointments cancelled by Retired NFL Football Players during the 2<sup>nd</sup> Quarter of 2020. The BAP Administrator has worked diligently to mitigate the disruptions caused by the pandemic, including working to reschedule appointments and ensuring that there will not be negative consequences for cancellations caused by COVID-19.

11. The BAP Administrator has received requests for appointments, as noted in report, from 58.4% of Players eligible to receive a BAP examination.

12. The BAP Administrator oversees a Supplemental Benefit program for Players diagnosed with Level 1 Neurocognitive Impairment under the Settlement Agreement. This program provides medical attention to Players. As part of this program, the BAP Administrator is currently piloting a cognitive rehabilitation therapy, in response to request from participating Players. To date, twenty Retired NFL Football player have requested to participate, and four Qualified BAP Providers have contracted with the BAP Administrator to be part of the program.

13. As of June 15, 2020, 4,883 Players have had full BAP examinations completed, resulting in 103 Level 2 diagnoses, 154 Level 1.5 diagnoses, 172 Level 1 diagnoses (entitling

these Players to Supplemental Benefits under the Settlement Agreement), and 4,454 cases with no diagnosis.

14. Since the last issued report, the BAP Administrator addressed the question of how to determine when a Retired NFL Player “chooses not to participate in the BAP” under Section 5.4 of the Settlement Agreement. The Parties reached a consensus that a Retired NFL Football Player has participated in the BAP once he attends one or more BAP appointments. The Parties also agreed to allow Players who have not yet attended a BAP appointment, but whose deadline to participate in the BAP has passed, to be given a final opportunity to participate (subject to several agreed upon criteria). Two hundred fifty-three Retired NFL Football Players were determined to have met the aforementioned criteria, and in March 2020, the BAP Administrator, in coordination with Class Counsel, notified the Players about their renewed opportunity to schedule and attend BAP appointments.

#### **Claims Administrator Milestones**

15. As of June 15, 2020, the Claims Administrator issued 1,157 Notices of Monetary Award, totaling \$778,259,592. One thousand sixty-nine of these have been paid, for a total payment to date to Settlement Class Members of \$692,353,579.

#### **Qualified MAF Physicians**

16. A revised version of the Rules Governing Qualified MAF Physicians, including several revisions to existing rules as well as inclusion of several new rules, was adopted by Order of the District Court on April 11, 2019. The Order was affirmed by the United States Court of Appeals for the Third Circuit on June 12, 2020 and the updated Rules have been implemented by the Claims Administrator.

### **Audits**

17. Under the terms of Section 10.3 of the Settlement Agreement, the Special Masters review determinations of the Claims Administrator concerning misrepresentation, omission, or concealment of a material fact in connection with a Monetary Award Claim.

18. The Claims Administrator continues its careful and detailed recommendations of Audits to the Special Masters.

### **Special Investigator**

19. At the request of the Special Masters, the Court granted the NFL's motion for the appointment of a Special Investigator in order to ensure the faithful implementation of the Settlement Agreement.

20. The Special Masters referred five cases to the Special Investigator. After thorough investigation, the Special Investigator presented reports to the Special Masters in all five matters.

21. On the basis of these reports, the Special Masters denied 171 claims. All parties to these matters are informed of the status of those claims.

22. The Special Masters shared select results of these investigations with federal authorities.

### **Appeals**

23. Alongside the Special Masters' authority to hear appeals of Registration determinations under the terms of Section 10.1(b)(i)(3) of the Settlement Agreement, the Court has directed the Special Masters to hear appeals of the Claims Administrator's decisions on Claims pursuant to the Rules Governing Appeals of Claim Determinations.

24. To date, approximately 5.2% of payable awards have been appealed by Players, 11.4% of payable awards have been appealed by the NFL, and 29.1% of denied claims have been appealed by Players. The Special Masters continue to review and issue decisions on these appeals.

#### **Monitoring of the Qualified Attorney's Settlement Fund**

25. The Special Masters have worked with the BAP Administrator, responsible for this Fund, to present a monthly report on the Fund to the Court.

#### **Education Fund**

26. Pursuant to Article XII of the Settlement Agreement, an Education Fund was established to fund programs promoting safety and injury prevention with respect to football players, including safety related initiatives in youth football, the education of Retired NFL Football Players regarding the NFL CBA Medical and Disability Benefits, and other educational initiatives benefitting Retired NFL Football Players.

27. The Parties have successfully worked together to establish three programs in response: an educational communication with Players about on-going benefits; a program in youth sports safety run in connection with the Korey Stringer Institute; and a research program focused on data that Players have voluntarily contributed to this effort run in connection with Columbia University.

28. On March 23, 2020, the Court issued an Order accepting the Parties' proposals for these Programs.

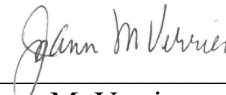
29. In the next quarterly report, the Special Masters will report on the progress of these programs.

Respectfully submitted,



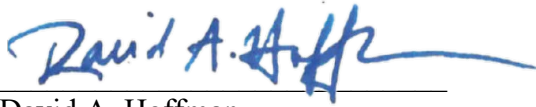
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Wendell E. Pritchett  
Special Master



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Jo-Ann M. Verrier  
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David A. Hoffman  
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